

1 MITCHELL D. GLINER, ESQ.
2 Nevada Bar #003419
3 3017 West Charleston Blvd., #95
4 Las Vegas, NV 89102
5 (702) 870-8700
6 (702) 870-0034 Fax
7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 WANDA R. SANDS,
11 Plaintiff,

12 vs.

13 REVENUE SECURITY SERVICES,
14 L.P., a Limited Partnership, &
15 HOME SHOPPING NETWORK, INC.,
16 a foreign corporation,

17 Defendants.

No.

JURY DEMANDED

18 COMPLAINT

19 JURISDICTION

20 1. The jurisdiction of this Court attains pursuant to the
21 FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332,
22 and the doctrine of supplemental jurisdiction. Venue lies in the
23 Southern Division of the Judicial District of Nevada as Plaintiff's
24 claims arose from acts of the Defendants perpetrated therein.

25 PRELIMINARY STATEMENT

26 2. This action is instituted in accordance with and to
27 remedy Defendants' violations of the Federal Fair Debt Collection
28 Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and
of related state law obligations brought as supplemental claims
hereto.

LAW OFFICES
MITCHELL D. GLINER
3017 W. Charleston Blvd.
Suite 95
Las Vegas, Nevada 89102
(702) 870-8700

1 3. In 2007, Defendants initiated a campaign of abusive,
2 unfair, unreasonable, and unlawful debt collection activity
3 directed against Plaintiff in Las Vegas, Nevada.

4 4. As a result of these and other violations of law,
5 Plaintiff seeks hereby to recover actual and statutory damages
6 together with reasonable attorney's fees and costs.

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PARTIES

5. Plaintiff, Wanda R. Sands, is a natural person who
resides in Las Vegas, Nevada, and is a "consumer" as defined by 15
U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by
15 U.S.C. Section 1692a(5).

6. Defendant, Revenue Security Services, L.P. (RSS), is a
domestic Limited Partnership, the principal purpose of whose
business is the collection of debts, operating a debt collection
agency from its principal place of business in Corpus Christi,
Texas, and regularly collects or attempts to collect debts owed or
due or asserted to be owed or due another, and is a "debt
collector" as defined by 15 U.S.C. Section 1692a(6).

7. The Defendant, Home Shopping Network, Inc., (HSN), is a
foreign corporation.

FACTUAL ALLEGATIONS

8. Plaintiff repeats, realleges and asserts all factual
allegations contained in the preliminary statement to this
Complaint and reasserts them as incorporated in full herein.

1 9. Plaintiff is 82 and quite ill.

2 10. Plaintiff disputes the HSN debt underlying this action
3 having returned the merchandise.

4 11. On May 7, 2007, HSN's agent, RSS, dunned Plaintiff
5 (Exhibit 1).

6 12. Exhibit 1 emulates legal process by invoking, inter alia,
7 "County Code" in violation of FDCPA § 1692e(13).

8 13. Exhibit 1 also violates FDCPA §§ 1692e(5) & 1692e(10) as
9 it threatens to take legal action on an alleged debt of only
10 \$142.71.

11 14. Over approximately two months RSS has inundated Plaintiff
12 with calls.

13 15. Sometimes the calls were made five times daily.

14 16. Other times RSS would call Plaintiff at 6:00 A.M. and on
15 Sundays in violation of FDCPA § 1692c(a)(1) & (2).

16 17. Each time Plaintiff advised she would not pay, that she
17 was ill and Defendant was not to further call.

18 18. Defendant ignored Plaintiff, continuing its torrent of
19 calls.

20 19. Defendant's representatives made clear they would not
21 stop calling until Plaintiff paid!

22 20. RSS's continued phone contacts to Plaintiff, at times
23 and at a place known to be inconvenient to Plaintiff, were made in
24 violation of FDCPA § 1692c(a)(1). Fox v. Citicorp Credit Services,
25 Inc., 15 F.3d 1507, 1516, fn. 10 (9th Cir. 1994), Austin v. Great
26 Lakes Collection Bureau, Inc., 834 F. Supp. 557, 559 (D. Conn.
27 1993).

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1 21. RSS's immediate and repeated recalls to Plaintiff
2 constituted harassment in violation of FDCPA §§ 1692d and 1692d(5).
3 Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516 (9th Cir.
4 1994), Bingham v. Collection Bureau, Inc., 505 F. Supp. 864, 873
5 (1981), Kuhn v. Account Control Technology, Inc., 865 F. Supp.
6 1443, 1452-53 (D. Nev. 1994).

7 22. The foregoing acts and omissions of Defendants were
8 undertaken by them willfully, maliciously, and intentionally,
9 knowingly, and/or in gross or reckless disregard of the rights of
10 Plaintiff.

11 23. Indeed, the foregoing acts and omissions of Defendants
12 were undertaken by them indiscriminately and persistently, as part
13 of their regular and routine debt collection efforts, and without
14 regard to or consideration of the identity or rights of Plaintiff.

15 24. As a proximate result of the foregoing acts and omissions
16 of Defendants, Plaintiff has suffered actual damages and injury,
17 including, but not limited to, stress, humiliation, mental anguish
18 and suffering, and emotional distress, for which Plaintiff should
19 be compensated in an amount to be proven at trial.

20 25. As a result of the foregoing acts and omissions of
21 Defendants, and in order to punish Defendants for their outrageous
22 and malicious conduct, as well as to deter them from committing
23 similar acts in the future as part of their debt collection
24 efforts, Plaintiff is entitled to recover punitive damages in an
25 amount to be proven at trial.
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LAW OFFICES
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CAUSES OF ACTION

COUNT I

26. The foregoing acts and omissions of RSS constitute violations of the FDCPA, including, but not limited to, Sections 1692c, 1692d, 1692e 1692f and 1692g.

27. Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees, and costs.

COUNT II

28. The foregoing acts and omissions of Defendants constitute unreasonable debt collection practices in violation of the doctrine of Invasion of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865 F. Supp. 1443, 1448-49 (D. Nev. 1994); *Pittman v. J. J. Mac Intyre Co. of Nevada, Inc.*, 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

29. Plaintiff is entitled to recover actual damages as well as punitive damages in an amount to be proven at trial.

JURY DEMANDED

Plaintiff hereby demands trial by a jury on all issues so triable.

WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

1. Award actual damages.
2. Award punitive damages.
3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k.
4. Award reasonable attorney fees.
5. Award costs.

1 6. Grant such other and further relief as it deems just and
2 proper.

3 Respectfully submitted,
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6 MITCHELL D. GLINER, ESQ.
7 Nevada Bar #003419
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9 Suite 95
10 Las Vegas, NV 89102
11 Attorney for Plaintiff

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PRE LEGAL CONTRACT PAYMENT DEMAND**CREDIT CARD DEFAULT SECTION**

May 7, 2007

YOUR CREDIT CARD COMPANY HAS DENIED PAYMENT FOR THE PURCHASE(S) MADE WITH THE HOME SHOPPING NETWORK. NOTIFICATION WAS PREVIOUSLY PROVIDED TO YOU AND YOUR CONTRACT REMAINS IN DEFAULT. AS OF MAY 7, 2007 YOU HAVE FAILED TO PROVIDE UPDATED VALID CREDIT CARD INFORMATION FOR RE-BILLING AND PAYMENT OF THE AMOUNT NOW DUE: \$142.71.

AN INVESTIGATIVE CONSUMER REPORT AND PERSONAL ASSET INVESTIGATION WILL BE ASSEMBLED WHICH WILL OR MAY INCLUDE INFORMATION AS TO YOUR CREDIT HISTORY AND OTHER PERSONAL CHARACTERISTICS SUCH AS SOURCES OF INCOME, EMPLOYMENT VERIFICATION, REAL ESTATE OWNERSHIP, AUTOMOBILE OWNERSHIP, SAVINGS AND CHECKING ACCOUNT INFORMATION.

UPON OBTAINING REPORT INFORMATION THIS OFFICE AND THE HOME SHOPPING NETWORK WILL DECIDE ON THE BEST COURSE OF ACTION FOR THE COLLECTION OF THE BALANCE DUE WHICH IS PERMISSIBLE AND IN ACCORDANCE WITH THE LAW. HAVING NO DESIRE TO CAUSE YOU EMBARRASSMENT AND IN AN EFFORT TO SETTLE THIS MATTER AMICABLY, WE STRONGLY SUGGEST UPON RECEIPT OF THIS LETTER YOU CONTACT US TO MAKE PAYMENT OR ARRANGEMENTS TO CLEAR THIS MATTER FROM YOUR RECORD.

IF IT IS YOUR INTENT TO SETTLE THIS DEBT WITHOUT ADDITIONAL COST OR INCONVENIENCE YOU MAY PAY THE AMOUNT DUE BY CREDIT CARD OR CHECK BY PHONE BY CALLING 1-877-882-5153, OR FAX THE COMPLETED CREDIT CARD INFORMATION BELOW TO 1-866-808-6124.

NO FURTHER NOTICE IS REQUIRED PRIOR TO TAKING LEGAL ACTION.

WE REPORT TO ALL MAJOR CREDIT REPORTING SERVICES


THIS HAS BEEN SENT FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.
ALL INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

COUNTY CODE: J62727
BALANCE DUE AS OF 5/7/2007: \$142.71

AGENTS ON DUTY: 1-877-882-5153

DETACH LOWER PORTION AND RETURN WITH PAYMENT

NEVER RE-DEPOSIT

IF PAYING BY CREDIT CARD, COMPLETE ALL, SIGN AND RETURN.	
<input type="checkbox"/> 	CHECK CARD USING FOR PAYMENT
CARD NUMBER PLUS 3 DIGIT SECURITY CODE (on back of card)	EXP. DATE
CARDHOLDER SIGNATURE	AMOUNT \$

PO Box 782406
SAN ANTONIO TX 78278-2408

ADDRESS SEE PAGE REQUESTED

MAY 7, 2007

WVNHHRMD 1918 31855
507 1350 0031 52# HSN3 J62727

WANDA R SANDS
6405 BALZAR AVE
LAS VEGAS NV 89133

SEND CORRESPONDENCE AND PAYMENTS TO THIS ADDRESS:
REVENUE SECURITY SERVICES
NATIONAL NOTIFICATION SECTION
PO BOX 782408
SAN ANTONIO TX 78278-2408

COUNTY CODE: J62727
BALANCE DUE AS OF 5/7/2007: \$142.71